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Date of Deposit: November 6, 2002  
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**PATENT**  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Cuomo et al. Group Art Unit: 2818

Serial No.: 09/998,080 Examiner: David Nhu

Filed: November 30, 2001 Docket No.: 297/105/2

Confirmation No.: 4519

For: M<sup>III</sup>N BASED MATERIALS AND METHOD AND APPARATUS FOR PRODUCING SAME

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RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Commissioner for Patents  
Washington, DC 20231

Sir:

This is responsive to the Restriction/Election Requirement dated September 6, 2002, having a 1-month term for Response that expired on October 6, 2002. A Petition for a 1-month Extension of Time up to and including November 6, 2002 is enclosed. Favorable consideration is respectfully requested in view of the following Election and Remarks.

RESTRICTION PRESENTED

The claims have been restricted into the following groups of inventions:

<u>Groups</u>	<u>Claims</u>	<u>Subject Matter</u>
I	1-47	A method for producing a single crystal M <sup>III</sup> N article.
II	48-56	A window adapted to transmit radiative energy in the infrared and/or microwave spectra.

APPLICANTS' ELECTION

Applicants hereby elect the invention of Group I, claims 1 through 47, drawn to a method for producing a single crystal M<sup>III</sup>N article, for prosecution at

this time. Accordingly, Applicants hereby cancel non-elected claims 48-56, while reserving the right to file related application(s) based on claims 48-56.

REMARKS

Claims 1-56 are now pending in the subject U.S. patent application. Claims 1-56 as filed have been subjected to a Restriction/Election Requirement.

In response to the Restriction/Election Requirement, applicants have elected the claims of Group I, claims 1-47, for prosecution at this time.

Applicants hereby reserve the right to file one or more divisional patent applications directed to the unelected subject matter.

CONCLUSIONS

Should there be any minor issues outstanding in this matter, the Examiner is respectfully requested to telephone the undersigned attorney. Early passage of the subject application to issue is earnestly solicited.

Deposit Account

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account Number 50-0426.

Respectfully submitted,

JENKINS & WILSON, P.A.

Date: November 6, 2002

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